

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LISETTE WILLIAMS,

Plaintiff,

v.

UNITED STATES OF AMERICA et al.,

Defendant.

CASE NO. 3:23-cv-05196-BHS

ORDER ON MOTION FOR
RECONSIDERATION
(DKT. NO. 9)

This matter comes before the Court on Plaintiff Lisette Williams' Motion for Reconsideration. (Dkt. No. 9.) Plaintiff seeks reconsideration of this Court's order denying her motion to reassign. (Dkt. No. 7.)

"Motions for reconsideration are disfavored." LCR 7(h)(1). "The court will ordinarily deny [motions for reconsideration] in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence." *Id.* "The motion shall point out with specificity the matters which the movant believes were overlooked or misapprehended by the court, any new

1 matters being brought to the court's attention for the first time, and the particular modifications
2 being sought in the court's prior ruling.” LCR 7(h)(2).

3 Plaintiff indicates she “fail[ed] to provide substantial information” in her original request
4 to remove Magistrate Judge Theresa Fricke from this matter. (Dkt. No. 9 at 1.) Plaintiff now
5 asserts that because Judge Fricke presided over Plaintiff’s criminal case, she “may be called as a
6 witness to testify . . . regarding the case the District Attorney presented to the courts and the
7 documents that were presented, charging the plaintiff with Larceny[.]” (*Id.* at 2.) Plaintiff offers
8 no justification why such assertion could not have been brought to the Court’s attention earlier
9 with reasonable diligence.

10 Moreover, Plaintiff offers no authority to conclude that a judge who presides over a
11 criminal proceeding can be compelled to testify in a civil proceeding. Plaintiff also fails to offer
12 any evidence that Judge Fricke in fact witnessed any conduct that might be relevant to Plaintiff’s
13 claims.

14 In short, Plaintiff fails to bring new facts or legal authority to the Court’s attention. She
15 instead reasserts Judge Fricke “has demonstrated partisanship towards plaintiff, showing favor
16 towards the defendants” because Judge Fricke issued a ruling Plaintiff disagrees with. (*Id.* at 2)
17 This is not a proper basis for recusal and there is no basis to conclude there was manifest error in
18 the Court’s prior Order .

19 Accordingly, the Court DENIES the motion for reconsideration.

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21 Dated this 20th day of July, 2023.

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24 David G. Estudillo

United States District Judge

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